Be it Resolved, by us who remain

First, That there has been thus taken away from among us one of our most effective teachers, greatly and justly loved by many successive generations of students.

Second, That we have lost a most genial and gentle friend and co-worker.

Third, That the University has lost one who by the qualities of his mind and heart and the faithful and high character of his work and service added much to the reputation and esteem in which the University is held by great numbers of its alumni and friends.

Fourth, That the teaching and legal professions have both lost an unusually clear thinker, a very keen analyst, and an original, lucid and forceful expositor.

Fifth, That the community in which he lived and moved and worked so long has lost an upright and exemplary citizen.

Sixth, That a copy of these resolutions be entered in the minutes of the meetings of the Faculty of the Law School and copies be sent to the family, the President, and the Board of Regents.

THE LAW SCHOOL.—Although the effect of the increased requirements for admission to the Law School is still apparent in the lessened total enrollment, a marked increase in numbers in the entering class is to be noted this year, the present first year class being more than twenty per cent. larger than that of last year.

The total enrollment includes students from forty-one states and territories and two foreign countries; and ninety-three colleges and universities are represented, as follows:

University of Michigan, 221; Albion College, 6; Hope College, University of Wisconsin, 5; Kansas University, Leland Stanford University, State University of Iowa, University of Indiana, 4; Adrian College, Alma College, Bucknell University, Mt. Union College, Pennsylvania State College, State College of Washington, University of Arkansas, University of Illinois, Yale University, 3; Baker University, Colorado College, Cornell University, De Pauw University, Kalamazoo College, Marietta College, Ohio State University, Ohio Wesleyan University, Princeton University, University of Mississippi, University of Missouri, University of Oklahoma, Valparaiso University, Wabash College, 2; Allegheny College, Amherst College, Antioch College, Brown University, Central Michigan State Normal, Central University of Kentucky, Colgate College, College St. Xavier, Dartmouth College, Dickinson College, Drake University, Fisk University, Franklin & Marshall College, Georgia School of Technology, Gonzaga University, Grinnell College, Hanover College, Harvard University, Hillsdale College, Hiram College, Huron College, Illinois College, Jas. Milliken University, Juniata College, Lafayette College, Lake Forest University, Lawrence College, Lehigh University, Marion (Ind.) Normal, Mercer University, Miami College, Michigan State Normal, Muhlenberg College, Northwestern University, Oklahoma Normal, Olivet College, Pennsylvania State Normal, Pomona College, Reed Col-

lege, St. John's University, St. Mary's College, St. Viator's College, Silliman Institute, South Dakota State College, Trinity College, University of California, University of Chicago, University of Colorado, University of Detroit, University of Montana, University of South Carolina, University of South Dakota, University of Tennessee, University of Virginia, University of Washington, Washington & Jefferson College, Western Reserve University, Western (Mich.) State Normal, Whittier College, Williams College, Wm. Jewell College, William & Vashti College, 1.

THE PATENTABILITY OF A PRINCIPLE OF NATURE.—The extent to which courts will go in conceding patentability to a natural law, or principle of nature, is evidenced in the case of *Minerals Separation Co.* v. *Hyde,* 37 Sup. Ct. —, decided by the Supreme Court, December 11, 1916. It has always been more or less an axiom of patent law that the discovery of a principle of nature does not entitle the discoverer to a patent for it. The case usually thought of first as authority therefor, is that of *Morton* v. *New York Eye Infirmary,* 5 Blatch. 116, 2 Fisher 320. The patentees in that case had discovered that the inhalation of sulphuric ether would produce insensibility to pain. The ether itself was well known and the means by which the patentees induced it to the lungs was not new. It was the effect produced by its induction to the lungs which, alone, had been theretofore unknown. On this showing the court held the patent to be invalid, saying, "A discovery of a new principle, force, or law, operating, or which can be made to operate, on matter, will not entitle the discoverer to a patent." "The new force or principle brought to light must be embodied and set to work, and can be patented only in connection or combination with the means by which, or the medium through which, it operates." Another frequently cited case upon this proposition is that of *O'Reilly* v. *Morse,* 15 How. 62. The eighth claim of the patent involved in that case was for "the use of the motive power of the electric or galvanic current, which I call electro-magnetism, however, developed for marking or printing intelligible characters, signs or letters at any distances, being a new application of that power of which I claim to be the first inventor or discoverer." This claim was held invalid, on the ground that it was too broad and did not describe any means by which the force was to be utilized.

In the *Morton* case, patentability was denied the discovery despite the court's statement that a new force or principle could be patented in connection or combination with means through which it was made to operate. Two reasons for this denial are possible of deduction from the case—though no reason is explicitly stated. One is that the principle was not in reality a principle at all, but was itself the result, the end sought. It could not, in this view of it, be considered as operating "in connection with" any means. It must have been not a correlated "means," but the "effect" of some means. In this view, the statement of the court is sound, but quite irrelevant to the question before it. The other possibility is that the court believed the means in connection with which the principle was used ought itself to be new.